

RESOLUTION: C-2014-20 DOCKET

**INTRODUCED BY: DR. DAN ADAMS
DAN MCGINN
CONSTANCE ROBINSON**

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF EVANSVILLE,
INDIANA, SUPPORTING A STATUTORY AMENDMENT ALLOWING
MUNICIPALITIES ADDITIONAL REGULATORY AUTHORITY OVER THE USE OF
FIREWORKS.**

WHEREAS, the Common Council of the City of Evansville, Indiana, recognizes and strongly supports the American tradition of permitting the use of fireworks during Independence Day celebrations; and,

WHEREAS, the Common Council of the City of Evansville, Indiana, believes that fireworks should remain permissible on certain dates and times; and,

WHEREAS, the Common Council of the City of Evansville, Indiana, hereby urges the General Assembly to allow municipalities the authority to adopt certain ordinances concerning use of consumer fireworks within the corporate limits of the municipality in order to regulate the use of consumer fireworks; and,

WHEREAS, currently Indiana law provides that municipalities may not adopt an ordinance reducing the number of days [eleven (11)] that consumer fireworks may be used for Independence Day celebrations pursuant I.C. 22-11-14-10.5(c)(3); and,

WHEREAS, the Common Council of the City of Evansville, Indiana, is desirous of reducing the number of days that consumer fireworks may be used in celebration of Independence Day; and,

WHEREAS, the Common Council of the City of Evansville, Indiana, is not desirous of reducing the hours that consumer fireworks may be used on permissible days or the use of consumer fireworks on December 31st and January 1st.

WHEREAS, there have been numerous citizen complaints in Evansville, Indiana, that the current number of days permitted for use of consumer fireworks is too many; and,

WHEREAS, there have been numerous citizen complaints in Evansville, Indiana, that much of the consumer fireworks used are too noisy, constituting a nuisance to many, especially in the late evening hours; and,

WHEREAS, there have been many injuries reported that have been directly caused by the use and handling of fireworks; and,

FILED

JUL 25 2014

Anna Widner
CITY CLERK

WHEREAS, the Common Council of the City of Evansville, Indiana, finds it desirous to have the ability to consider and vote on an ordinance reducing the number of days that consumer fireworks may be used in celebration of Independence Day as follows:

- (A) On Friday, Saturday and Sunday when Independence Day (July 4th) occurs on one of said days for a total of three (3) days,
- (B) On Friday, Saturday and Sunday immediately preceding Independence Day (July 4th) and on Independence Day when it occurs on Monday or Tuesday for a total of four (4) days, and
- (C) On Friday, Saturday and Sunday immediately following Independence Day (July 4th) when Independence Day occurs on a Wednesday or Thursday for a total of four (4) days.

NOW, THEREFORE, BE IT RESOLVED,

THE COMMON COUNCIL OF EVANSVILLE, INDIANA, HEREBY urges the General Assembly of the State of Indiana to allow municipalities the authority to consider and vote on ordinances reducing the number of days consumer fireworks may be used in celebration of Independence Day.

PASSED BY, the Common Council of the City of Evansville, Indiana, on the 28 day of July, 2014.

A copy of this Resolution shall be forwarded to: all members of the General Assembly (House and Senate).

This Resolution shall be in full force and effect from and after its passage by the Common Council and signing by the Mayor.



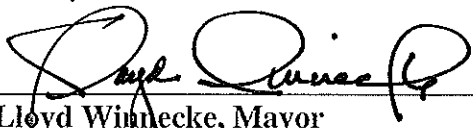
John Friend, President of the Common Council, City of Evansville, Indiana

ATTEST: Laura Windhorst
Laura Windhorst, City Clerk

Presented by me, the undersigned City Clerk of the City of Evansville, Indiana, to the Mayor of Evansville this 29 day of July, 2014, at 3 o'clock p.m. for his consideration and action thereon.

Laura Windhorst
Laura Windhorst, City Clerk
City of Evansville, Indiana

Having examined the foregoing resolution, I do now, as Mayor of the City of Evansville, Indiana, approve said resolution and return the same to the City Clerk this 30th day of July, 2014, at 10:30 o'clock A.m.



Lloyd Winnicke, Mayor
City of Evansville, Indiana